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Attorney for PLAINTIFFS
WAYNE MERRITT MOTOR CO., INC. DBA
RV'S OF MERRITT, & WAYNE & PEGGY MERRITT

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WAYNE MERRITT MOTOR CO., INC.) CASE NO.: 11-CV-01762 LHK
dba RV'S OF MERRITT, WAYNE)
MERRITT, PEGGY MERRITT,)
Plaintiffs,)
vs.)
NEW HAMPSHIRE INSURANCE)
COMPANY, and Does 2-100,)
Defendants.)
/)
STIPULATION AND ORDER FOR
PLAINTIFFS TO HAVE LEAVE TO
FILE THEIR PROPOSED SECOND
AMENDED COMPLAINT

Attached hereto, and marked as Exhibit 1 is Plaintiffs' proposed second amended complaint. Plaintiffs and defendant, New Hampshire Insurance Company ("NHIC"), do hereby stipulate that Plaintiffs have leave to file the Second Amended Complaint.

By so stipulating above, NHIC does not concede the merit of any causes of action contained in the Second Amended Complaint and reserves its right to challenge any and all such causes of action. The parties further stipulate that NHIC shall have thirty (30) days from the date this Court grants the instant Stipulation and Order within which to file

its response to Plaintiffs' Second Amended Complaint.

SO STIPULATED.

DATED: 5/4/11

/s/ John A. Shepardson
JOHN A. SHEPARDSON, ESQ.
FOR PLAINTIFFS

DATED: 5/4/11

/s/ David T. DiBiase
**DAVID T. DIBIASE, ESQ. FOR
DEFENDANT NEW HAMPSHIRE
INSURANCE COMPANY**

Based on said Stipulation, the Court grants Plaintiffs leave to file their proposed Second Amended Complaint. Defendant New Hampshire Insurance Company's response to the Second Amended Complaint shall be filed no later than thirty (30) days from the below date that this Order is approved. Plaintiffs shall file the Second Amended Complaint as a separate docket entry by Monday, May 9, 2011.

IT IS SO ORDERED.

Dated: May 4, 2011

Lucy H. Koh
HON. LUCY H. KOH